

**11-42-108 Utility connections before paving or repaving is done -- Failure to make connection.**

- (1) The governing body may require:
  - (a) that before paving or repaving is done within an assessment area, all water, gas, sewer, and underground electric and telecommunications connections be made under the regulations and at the distances from the street mains to the line of the property abutting on the street to be paved or repaved that the local entity prescribes by resolution or ordinance; and
  - (b) the water company owning the water pipe main, the gas company owning the gas pipe main, and the electric or telecommunications company owning the underground electric or telecommunications facilities to make the connections.
- (2) Upon the failure of a water company, gas company, or electric or telecommunications company to make a required connection:
  - (a) the local entity may cause the connection to be made; and
  - (b)
    - (i) the cost that the local entity incurs in making the connection shall be deducted from the amount of any debt the local entity owes to the company; and
    - (ii) the local entity may not pay a bill from the company until all the cost has been offset as provided in Subsection (2)(b)(i).

Enacted by Chapter 329, 2007 General Session